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Letter dated 19 March 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Singapore to the United Nations addressed to the Chair of the Committee

I refer to paragraph 17 of Security Council resolution 2397 (2017) of 22 December 2017, in which the Council requested States to report on the measures taken to implement the provisions specified therein.

I enclose the report of the Government of Singapore on the measures taken to implement the provisions of Security Council resolution 2397 (2017) (see annex).

(*Signed*) Jo-Phie **Tang**
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Annex to the letter dated 19 March 2018 from the Chargé d'affaires a.i. of the Permanent Mission of Singapore to the United Nations addressed to the Chair of the Committee

Report of Singapore on the implementation of Security Council resolution 2397 (2017)

1. In paragraph 17 of Security Council resolution 2397 (2017), adopted on 22 December 2017, the Council called upon all Member States to report to it within 90 days of the adoption of the resolution, and thereafter upon request by the Committee, on concrete measures that they had taken to implement effectively the provisions of the resolution. The present report describes the measures taken by Singapore.

Legislative framework

2. Singapore has the necessary legislative framework in place to meet its obligations under the resolution. This section expands upon the specific measures that have been given effect under the national laws and regulations of Singapore.

Measures given effect under the Strategic Goods (Control) Act and the Regulation of Imports and Exports Act

3. The Strategic Goods (Control) Act and the Regulation of Imports and Exports Act, along with related regulations, allow Singapore to implement the paragraphs of resolution 2397 (2017) relating to the transfer, brokering and inspection of sanctioned items by controlling the export, re-export, trans-shipment, transit and brokering of strategic goods, as well as items which are prohibited from being transferred to and from the Democratic People's Republic of Korea. This includes controls on intangible transfers of technology and a "catch-all" provision that prohibits the export, trans-shipment or transit of items which are not included in the control list, but which are intended or likely to be used in connection with a relevant activity. Relevant activity is defined under the Strategic Goods (Control) Act as the development, production, handling, operation, maintenance, storage, detection, identification or dissemination of any nuclear, chemical or biological weapon; or missiles which are capable of delivering any such weapon.

4. Singapore has imposed a prohibition on the import, export, re-export, transit and trans-shipment of all goods for the purposes of trade with any person in the Democratic People's Republic of Korea. This prohibition applies to all commercial cargo that is for the purposes of trade, but not to humanitarian goods. Singapore has existing permit requirements for the import, export, re-export, transit and trans-shipment of non-commercial cargo from or to the Democratic People's Republic of Korea.

5. Singapore is updating its list of prohibited items in the Seventh Schedule of the Regulation of Imports and Exports Regulations to include the additional items prohibited under paragraphs 6, 7 and 14 of resolution 2397 (2017). The Seventh Schedule already includes the items prohibited under paragraphs 4 and 5 of the resolution.

6. The Strategic Goods (Control) Act and the Regulation of Imports and Exports Act contain the powers necessary for authorized officers to search premises and conveyances in situations where contravention of the two Acts, including provisions implementing the relevant paragraphs of resolution 2397 (2017), is suspected.

Measures given effect under the Merchant Shipping Act and the Maritime and Port Authority of Singapore Act

7. The Merchant Shipping Act and the Maritime and Port Authority of Singapore Act respectively empower the relevant authorities to deregister a Singapore-flagged vessel and refuse entry to any vessel, if necessary, which may extend to situations covered by paragraph 12 of resolution 2397 (2017).

Measures given effect under the Monetary Authority of Singapore (Sanctions and Freezing of Assets of Persons — Democratic People's Republic of Korea) Regulations 2016

8. The requirement for financial institutions to freeze the funds, other financial assets or economic resources of the newly designated individuals/entities pursuant to paragraph 3 of resolution 2397 (2017) is automatically incorporated into the Monetary Authority of Singapore (Sanctions and Freezing of Assets of Persons — Democratic People's Republic of Korea) Regulations 2016.

9. The Monetary Authority of Singapore is updating the Monetary Authority of Singapore (Sanctions and Freezing of Assets of Persons — Democratic People's Republic of Korea) Regulations 2016 to give effect to the new provisions of resolution 2397 (2017) that are applicable to the financial sector. This will complement the prohibition by the Monetary Authority of Singapore (with effect from 31 August 2017) on financial institutions from entering into financial transactions or providing financial assistance or services that are associated with, or may contribute to, any trade with the Democratic People's Republic of Korea or any person in, or national of, the Democratic People's Republic of Korea.

Measures given effect under the Immigration Act

10. The Immigration Act governs the movement of persons into and out of Singapore. Under section 7 of the Act, only citizens of Singapore have an automatic right of entry into Singapore. Under section 6, unless exempted by an order made under section 56, all persons other than a citizen of Singapore must be issued a valid pass before they are allowed entry. As part of entry procedures, they are screened against the Immigration and Checkpoint Authority's system during entry clearance. Nationals of the Democratic People's Republic of Korea who are persons designated under resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017), 2375 (2017) and 2397 (2017) will be denied entry and returned to their last port of embarkation, in accordance with international practice. Singapore also imposes a visa requirement on all nationals of the Democratic People's Republic of Korea who wish to enter Singapore.

Measures given effect under the United Nations Act

11. The United Nations Act enables Singapore to give effect to binding decisions of the Security Council through secondary legislation in areas not covered by existing legislation without the need to enact additional primary legislation. Singapore is updating the United Nations (Sanctions — Democratic People's Republic of Korea) Regulations 2010 to give effect to the provisions of resolution 2397 (2017) that are not covered by the above-mentioned pieces of legislation and other administrative measures.

Measures given effect or supplemented by other means

Restrictions on nationals of the Democratic People's Republic of Korea earning income

12. In paragraph 8 of its resolution 2397 (2017), the Security Council requires Member States to repatriate to the Democratic People's Republic of Korea all nationals of the Democratic People's Republic of Korea earning income in that Member State's jurisdiction and all government safety oversight attachés of the Democratic People's Republic of Korea monitoring workers of the Democratic People's Republic of Korea abroad immediately but no later than December 2019 unless the Member State determines that a national of the Democratic People's Republic of Korea is a national of that Member State or a national of the Democratic People's Republic of Korea whose repatriation is prohibited, subject to applicable national and international law, including international refugee law and international human rights law, and the United Nations Headquarters Agreement and the Convention on the Privileges and Immunities of the United Nations.

13. Singapore has revoked the work passes of all nationals of the Democratic People's Republic of Korea earning income in Singapore and will not grant new work passes to nationals of the Democratic People's Republic of Korea. There are therefore no nationals of the Democratic People's Republic of Korea with work passes in Singapore.

Vessel-related provisions of resolution 2397 (2017)

14. In addition to the existing legislative prohibitions under the United Nations (Sanctions — Democratic People's Republic of Korea) Regulations 2010, the Maritime and Port Authority of Singapore issued a circular on 26 January 2018 to inform and advise the shipping community to comply with resolution 2397 (2017).

Raising awareness of resolution 2397 (2017)

15. The Singapore authorities have proactively engaged business owners and relevant entities to remind them of existing and new restrictions imposed on the Democratic People's Republic of Korea. The Singapore authorities are also reaching out to individual businesses involved in activities with entities linked to the Democratic People's Republic of Korea to advise them to abide by the restrictions imposed by resolution 2397 (2017). In addition, the Singapore authorities have alerted financial institutions to the risk of the Democratic People's Republic of Korea using nominees, front companies and Singaporean companies to circumvent Security Council resolutions.